



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,442	09/30/2003	Diane Simona Bettina Schmidt	11884/406301	2618
53000 7590 07/24/2008 KENYON & KENYON LLP 1500 K STREET N.W. WASHINGTON, DC 20005				
EXAMINER SHAIKH, MOHAMMAD Z				
ART UNIT 3696		PAPER NUMBER		
MAIL DATE 07/24/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,442

Applicant(s)SCHMIDT, DIANE SIMONA
BETTINA**Examiner**

MOHAMMAD Z. SHAIKH

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 05/19/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Introduction

1. The following is a NON-FINAL Office Action in response to the communication received on 02/08/08. Claims 1-6, 8-26 are now pending in this application.
2. A **request for continued examination (RCE)** under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application **AFTER FINAL rejection**. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the **FINALITY** of the previous Office Action has been **WITHDRAWN** pursuant to 37 CFR 1.114. Applicant's submission filed on 02/08/08 has been entered.

Response to Amendments

3. Applicants Amendment has been acknowledged in that: **Claims 1,9,12,15,18,20 have been amended; Claims 21-26 are new;** hence such, Claims 1-6, 8-26 are now pending in this application.

Claim Rejections- 35 U.S.C § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 8-26 are rejected under 35 U.S.C 103(a) as being unpatentable over U.S Patent 6,038,550 to Rosenwald in view of US 2003/0120566 to Lipshutz, herein referred to as Lipshutz and further in view of U.S 2001/0056391 to Schultz and further in view of US 2004/0177036 to Nutahara et al, herein Nutahara.

As per claim 1, Rosenwald discloses a method for managing intra-day interest calculations for a bank account (column 2, line 1-3; column 10, lines 51-52), comprising: However Rosenwald does not disclose (a) in response to fluctuations in an account balance of the bank account. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for. Rosenwald further discloses by an interest account management system (column 1, lines 50-59), setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account (column 1, lines 66-67).

(b) determining the balances for the account for the balance determination times (column 1, lines 65-66)

(c) determining applicable conditions for the interest calculation, the conditions relating to an interest rate to be applied based on at least two of a time of day (column 2, lines 5-8), a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). (d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been

overdrafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been overdrafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 2, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 3-4, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of an hour and a second (column 2, lines 1-8).

Regarding claims 5&6, Rosenwald discloses the method of claim 1, further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination (column 2, lines 19-25).

Regarding claim 8, Rosenwald discloses the method of claim 1, wherein based on the conditions; an interest rate used in performing the interest calculation may change from a first time interval to a second time interval (column 7, lines 7-10).

Regarding claim 9, Rosenwald teaches a method for managing intra-day interest calculations for a bank account (column 2, lines 1-3; column 10, lines 51-52; column 12, lines 34-36), comprising:

(a) Receiving a designation of a bank account to receive intra-day interest calculation (Column 5, lines 11-12).

(b) Receiving transaction information for the account, the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation (Column 6, lines 7-9). (c) Receiving a specification of a plurality of points in time for determining corresponding account balances for use in calculating an interest on the bank account, wherein the points of time correspond to a plurality of times within a single day. Rosenwald does not disclose in response to fluctuations in an account balance of the bank account. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for. Rosenwald further discloses by an interest account management system (column 1, lines 50-59).

(d) for each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36). (e) For each of the points in time, determining an applicable interest rate based on an assigned condition, wherein the conditions relating to an interest rate to be applied based on at least two of a time of day (column 2, lines 5-8), a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-

Art Unit: 3696

13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). (f) providing the account balances and applicable conditions to interest calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have. (f) providing the account balances and the applicable interest

rates to interest calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5).

Regarding claim 10, Rosenwald discloses the method of claim 9. Rosenwald further discloses wherein the value time is specified with accuracy to the second (column 10, lines 51-52).

As per claim 11, Rosenwald teaches the method of claim 9. However Rosenwald does not specifically disclose an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith. Lipschutz teaches an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith (Fig 4; paragraph 0072). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith. One of ordinary skill in the art would have been motivated to include an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith in order to ensure that the user can view the interest they are earning in a format that is easy to comprehend.

As per claim 13, Rosenwald teaches the system of claim 12 and an intra-day interest account (column 10, lines 43-36). However Rosenwald does not disclose the interest account management software configured to implement a user interface providing for entry of the information. Lipschutz does disclose the account management

software is configured to implement a user interface providing for entry of the information (page 15: "At least one user interface.... at least one user; claim 1; claim 11). Therefore it would have been to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include the account management software configured to implement a user interface providing for entry of the information. One of ordinary skill in the art would have been motivated to include account management software configured to implement a user interface providing for entry of the information in order to ensure that the user can view the interest they are earning in a format that is easy to comprehend.

As per claim 14, Rosenwald teaches the system of claim 12 and the intra-day interest account (column 10, lines 43-46). However Rosenwald does not disclose the intra-day interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith. Lipschutz does teach the intra-day interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith (claim 1, claim 10; Fig 8; claim 11). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rosenwald's invention to include the intra-day interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith. One of ordinary skill would have been motivated to include the intra-day

interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith in order to ensure that the user can view the interest they are earning in a format that is easy to comprehend.

Regarding claim 12, Rosenwald discloses a system comprising: a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions (column 10, lines 60-64). Rosenwald does not disclose in response to fluctuations in an account balance of the bank account. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for. Rosenwald further discloses the account management system (col 1, lines 50-59). Rosenwald further discloses and points of time corresponding to a plurality of times within a single day (column 1, lines 66-67). Rosenwald discloses transaction information including a value time relating to when a transaction to the account is included in the account balance for interest calculation (column 8, lines 28-36); and conditions applicable to the interest calculation, the conditions relating to interest rates to be applied based on at least two of a time of day (Fig 5), a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a

particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

As per claim 15, Rosenwald discloses a system comprising; a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions, the instructions when executed implementing a process for managing

intra-day interest calculation for a bank account (column 10, lines 60-64; column 2, line 1-3; column 10, lines 51-52), the instructions comprising:

(a) Rosenwald does not disclose in response to fluctuations in an account balance of the bank account, setting by an intra-day interest account management system.

setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for.

Rosenwald further discloses the intra-day account management system (col 1, lines 50-59; column 1, lines 66-67). Rosenwald further discloses setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a single day at which respective net account balances are to be used in an interest calculation for the account (b) determining the balances for the account for the balance determination times (column 8, lines 28-36).

(c) determining applicable conditions for the interest calculation, the conditions relating to an interest rate to be applied based on at least two of a time of day;

Art Unit: 3696

a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). (d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been

over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 16, Rosenwald discloses the system of claim 15, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 17, Rosenwald discloses the system of claim 15, the process further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination, wherein the value time is specified 15 with an accuracy to the second (column 2, lines 19-25).

Regarding claim 18, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day interest calculation for a bank account (column 10, lines 41-42; column 10, lines 44-46; column 2, line 1-3; column 10, lines 51-52), the method comprising:

(a) Rosenwald does not disclose in response to fluctuations in an account balance of the bank account, setting by an intra-day interest account management system. setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in

an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for.

Rosenwald further discloses the intra-day account management system (col 1, lines 50-59; column 1, lines 66-67); setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a single day at which respective net account balances are to be used in an interest calculation for the account. Rosenwald further discloses setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a single day at which respective net account balances are to be used in an interest calculation for the account; determining the balances for the account for the balance determination times (column 8, lines 28-36).

(c) determining applicable conditions for the interest calculation, the conditions 5 relating to an interest rate to be applied based on at least two of a time of day; a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36).

(d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrawn. Schultz discloses

an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 19, Rosenwald discloses the machine-readable medium of claim 18, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 20, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day interest calculation for a bank account (column 10, lines 41-46; column 10, lines 51-52), the method comprising:

(a) Receiving a designation of a bank account to receive intra-day interest calculation (Column 5, lines 11-12)

(b) Receiving transaction information for the account, the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation (Column 6, lines 7-9)

(c) Receiving a specification of a plurality of points in time for determining corresponding account balances for use in calculating an interest on the bank account, wherein the points of time correspond to a plurality of times within a day. Rosenwald does not disclose in response to fluctuations in an account balance of the bank account, setting by an intra-day interest account management system. Nutahara discloses in response to fluctuations in an account balance of the bank account (claim 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include in response to fluctuations in an account balance of the bank account. One of ordinary skill in the art would have been motivated to include in response to fluctuations in an account balance of the bank account in order to ensure that the correct amount of interest is accounted for. Rosenwald further discloses the intra-day account management system (col 1, lines 50-59; column 1, lines 66-67).

(d) for each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36).

(e) For each of the points in time, determining an applicable interest rate based on an assigned condition, wherein the assigned condition includes at least two of a time of day, a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). (d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank

account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

(f) providing the account balances and the applicable interest rates to interest 20 calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5).

Regarding claim 21, Rosenwald discloses the method of claim 1. Rosenwald further discloses wherein the plurality of points in time are defined as a plurality of intervals of arbitrary length to time within a single day (column 8, lines 28-36).

Claims 22-26 are being rejected using the same rationale as claim 21.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (7:30-5); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad Z Shaikh/
Examiner, Art Unit 3696
7/7/2008

Mohammad Z Shaikh
Examiner
Art Unit 3696

/Daniel S Felten/
Primary Examiner, Art Unit 3696